

April 9, 2013

PLEASE REPLY TO NEWARK

The Honorable Vera M. Scanlon
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Gotlib v. Cohen & Slamowitz
Docket No. : 11 CV 6292 (NGG) (VMS)
Our File No. : 4696.11928

Dear Magistrate Judge Scanlon:

We represent the Defendant in the above-referenced matter. A letter was not submitted previously on behalf of the Defendant in response to the Order to Show Cause as the correspondence dated March 24, 2013 by Plaintiff's counsel, Adam J. Fishbein, adequately summarized the reasons why the Stipulation of Discontinuance has not been filed.

The settlement release was sent to Plaintiff's counsel on October 12, 2012. The release our office received a few weeks later was improperly notarized and information to be produced as part of the settlement terms was not provided.

We followed up with Plaintiff's counsel on several occasions and on February 25, 2013, we received the negotiated information, but the release we received was again improperly notarized. We again immediately notified Plaintiff's counsel.

To date, a correctly notarized release has not been received and thus, we have been unable to finalize the settlement and file the Stipulation of Discontinuance.

We appreciate Your Honor's efforts in assisting the parties to resolve this matter.

Respectfully submitted,

Podvey, Meanor, Catenacci, Hildner, Coccoziello & Chattman, P.C.



Wendy B. Shepps

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Via EFC
cc: Adam J. Fishbein, Esq.